



June 20, 2022

**VIA ECF**

Magistrate Sarah L. Cave  
United States District Court  
Southern District of New York  
Daniel Patrick Moynihan Courthouse  
500 Pearl Street, Room 1670  
New York, NY 10007

The Parties' letter-motion seeking an extension of time to file a proposed ESI Order (ECF No. 365) is GRANTED.

The Clerk of Court is respectfully directed to close ECF No. 365.

06/22/2022 SO ORDERED

  
SARAH L. CAVE  
United States Magistrate Judge

**Re: JLM Couture, Inc. v. Hayley Paige Gutman (1:20-cv-10575-LTS-SLC)**

Hon. Judge Cave:

We represent Plaintiff JLM Couture, Inc. (“JLM”) and Third-Party Defendant Joseph Murphy (“Murphy”) (collectively, the “JLM Parties”) in the above-referenced action. We write jointly with counsel for Defendants pursuant to Rule I(E) of Your Honor’s Individual Rules of Practice to respectfully request an extension of the time to file a proposed ESI Order.

Pursuant to the May 12, 2022 Order Granting the Parties’ Letter Motion for Extension of Time to File [Dkt. No. 346], the current deadline to file the proposed ESI Order is June 21, 2022. The Parties jointly respectfully request that the deadline to file the proposed ESI Order be extended to July 18, 2022.

All parties consent to the extension request. This is the second request for the relief sought and it does not affect any other dates in this action.

Pursuant to Paragraph 10(b) of the April 19, 2022 Case Management Plan and Order [Dkt. No. 342], the Parties were initially expected to have an ESI discovery protocol in place by May 13, 2022. The Court granted the Parties’ first request for the relief sought and extended the initial deadline to file a proposed ESI Order to June 21, 2022 based on the Parties’ mutual agreement that it would be more efficient to agree upon many of the subjects after both parties have served their comprehensive first set of demands.

The Parties are also in the process of submitting their briefings relating to modifications to the current PI Order, in accordance with the schedule so ordered by Judge Swain, with all briefings to be complete by June 30, 2022. [Dkt. No. 347]. The Parties have also both served their demands and served initial written responses to same. The Parties are in the process of meeting and conferring regarding the responses to one another’s demands. As part of that process the Parties have met and conferred regarding the proposed ESI Order. The Parties have come to an initial agreement on

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production formats (subject to change) and preservation issues as set forth in the Stipulation and Order for the Preservation of Certain ESI, which was entered by the Court on September 13, 2021. [Dkt. No. 238]. However, with respect to search and review protocols, privilege logging, limits on production, custodians, cost shifting and other issues, the Parties are not yet in a place where they can either reach agreement or know if there are disputes that need to be raised with the Court. The Parties anticipate discussing these issues with respect to one another's specific requests as part of the meet and confer process that we anticipate having in more substance the first week of July. It may be that the Parties do not need to raise any of these issues with the Court, and in an effort to preserve the resources of the Parties, the Parties would like to further address these issues as part of the meet and confer process and see if specific protocols are necessary and/or if there are actually any disputes that need to be brought to this Court.

As such, the Parties are respectfully requesting that the deadline to submit an ESI Order be extended to July 18, 2022.

We appreciate the Court's time, and should Your Honor need any further information, we are available at the Court's convenience.

Respectfully submitted,

ADELMAN MATZ P.C.



Sarah M. Matz, Esq.

*Attorneys for JLM Couture, Inc.  
Joseph L. Murphy*

HAYNES AND BOONE, LLP



Joe Lawlor, Esq.

*Attorneys for Defendants*

Cc. Counsel of Record (via ECF)



## Audit Trail

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Sent for signature to Sarah M Matz ([sarah@adelmanmatz.com](mailto:sarah@adelmanmatz.com)) and Lawlor, Joseph ([joseph.lawlor@haynesboone.com](mailto:joseph.lawlor@haynesboone.com)) from [mnucci@adelmanmatz.com](mailto:mnucci@adelmanmatz.com)  
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14:24:14 UTC

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